APPLICATION FOR RESOURCE CONSENT

For a golf training facility building and associated earthworks and landscaping at The Hills Golf Club

4 June 2025

BROWN&COMPANY
PLANNING GROUP

APPLICATION FOR RESOURCE CONSENT UNDER SECTIONS 88 AND 127 OF THE RESOURCE MANAGEMENT ACT 1991

APPLICANT AND PROPERTY DETAILS

Applicant's name:	The Hills Holdings Limited
Address for Service:	The Hills Holdings Limited C/- Brown & Company Planning Group PO Box 1467, QUEENSTOWN 9348 max@brownandcompany.co.nz 03 409 2258 / 021 191 8834
Address for invoicing:	Greg Kenward gkenward@castlepartners.co.nz
Site Address:	164 McDonnell Road, Arrowtown, 9371
Legal Description:	Lot 3 DP 516022
District Plan Zone:	The Hills Resort Zone
Plan Designations, Limitations or Overlays:	N/A
Activity Status:	Non-Complying

Prepared for:	*The Hills Holdings Limited*
Date:	*4 June 2025*
Prepared by:	*Christine Edgley / Max Lichtenstein*
Reviewed by:	*Jeff Brown*

Declaration

The Council relies on the information contained in this application being complete and accurate. The Applicant must take all reasonable steps to ensure that it is complete and accurate and accepts responsibility for information in this application being complete and accurate.

If signing as the Applicant, I/we hereby represent and warrant that I am/we are aware of all my/our obligations arising under this application including, in particular but without limitation, my/our obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to the Fees Information section.

If signing as agent of the Applicant, I/we hereby represent and warrant that I am/we are authorised to act as agent of the Applicant in respect of the completion and lodging of this application and that the Applicant is aware of all of his/her/its obligations arising under this application including, in particular but without limitation, his/her/its obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to the Fees Information section.

I hereby apply for the resource consent(s) for the Proposal described above and I certify that, to the best of my knowledge and belief, the information given in this application is complete and accurate.



.....
for Brown & Company Planning Group
on behalf of

The Hills Holdings Limited

4 June 2025

ATTACHMENTS

A	An assessment of effects on the environment in accordance with the Fourth Schedule to the Act.
B	Records of Title
C	Architectural Plans
D	Earthworks Plan
E	Landscape Assessment
E1	Landscape Assessment - Graphics Supplement
F	The Hills Arboricultural Report
F1	The Hills Arboricultural Report Appendix 7.1
G	Geotechnical Interpretative Report
H	Services Report
I	Low-risk Environmental Management Plan
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FOURTH SCHEDULE
ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

1. A DESCRIPTION OF THE PROPOSAL

1.1. Scope of this Document

This Assessment of Effects on the Environment (**AEE**) is submitted in fulfilment of the applicant's duties under the Resource Management Act 1991 (**RMA or the Act**). The AEE addresses matters relating to this land use consent application to the Queenstown Lakes District Council (**QLDC** or **the Council**) for the proposal.

This AEE has been prepared in accordance with the requirements of section 88, section 127 and the Fourth Schedule of the Act and provides all information necessary for a full understanding of the proposal and the effects it will have on the environment. To this end, the AEE contains the following information:

- A description of the site and surrounding locality;
- Development and consent history;
- A description of the proposal;
- Relevant provisions of the QLDC's Proposed District Plan (**PDP**);
- An assessment of effects on the environment;
- Other relevant planning provisions;
- Section 104D Assessment;
- Part 2 RMA considerations; and
- Section 95 Assessment.

1.2. The site and locality

The Hills is a golf course located in the Wakatipu Basin that was progressively developed by the Hill family between 2000 and 2007. The Hills Golf Club is located within the triangle-shaped wedge formed by McDonnell Road to the east, Arrowtown-Lake Hayes Road to the west, and Hogans Gully Road to the south. The existing 18-hole golf course currently occupies the majority of the land and is characterised by varied terrain with clusters of exotic and native trees, areas of tussock grassland, sand bunkers, small ponds and art installations.

The resort presently comprises the 18-hole championship golf course and a clubhouse but is otherwise mostly undeveloped. Existing buildings are limited to the Clubhouse and carparking located centrally within the site within (on The Hills Resort Zone Structure Plan) Activity Area C, residential units within existing Home Sites (HS) 1, 2 and 4, buildings associated with the golf resort in Activity Areas G, 9 and S1, and farm buildings. All existing buildings are integrated with well-established vegetation and are difficult to discern from outside of the site.

Beyond the site, Arrowtown is located to the east of McDonnell Road, with the southern reaches of the urban residential area contained by the Arrowtown Golf Course. On the western side of McDonnell Road, adjacent to The Hills course, there are existing rural residential land parcels.

On the northwestern side of Arrowtown-Lake Hayes Road is Millbrook Resort and golf course, with the recently developed Ayrburn historic commercial precinct located below that. Nearby Hogans Gully Road is characterised by residential units on larger landholdings, set well back from the road and generally difficult to see due to the topography and vegetation. The northern extent of the Operative Bendemeer

Special Zone is at a higher elevation, and to the east of that is the Hogans Gully Resort Zone, which is a golf resort zone with similarities to The Hills, providing for a golf course, residential and visitor accommodation activity and which is currently being developed.

The land parcels comprising The Hills Golf Club are legally described as Lot 1 DP 501981 and Lots 1-5 DP 516022 and are contained within Records of Title 755877, 803676-803678 and 1068487-1068488, with a total land area of approximately 162ha. The works covered by the current application are limited to the land parcel Lot 3 DP 516022; the subject site. It comprises approximately 101ha, is irregularly shaped, and is contained within Record of Title 803678 (**Attachment B**). The proposed works are located centrally within the site, immediately north of the existing Clubhouse and parking area, and south of the existing driving range.

The subject site is shown in **Figures 1** and **2** below.

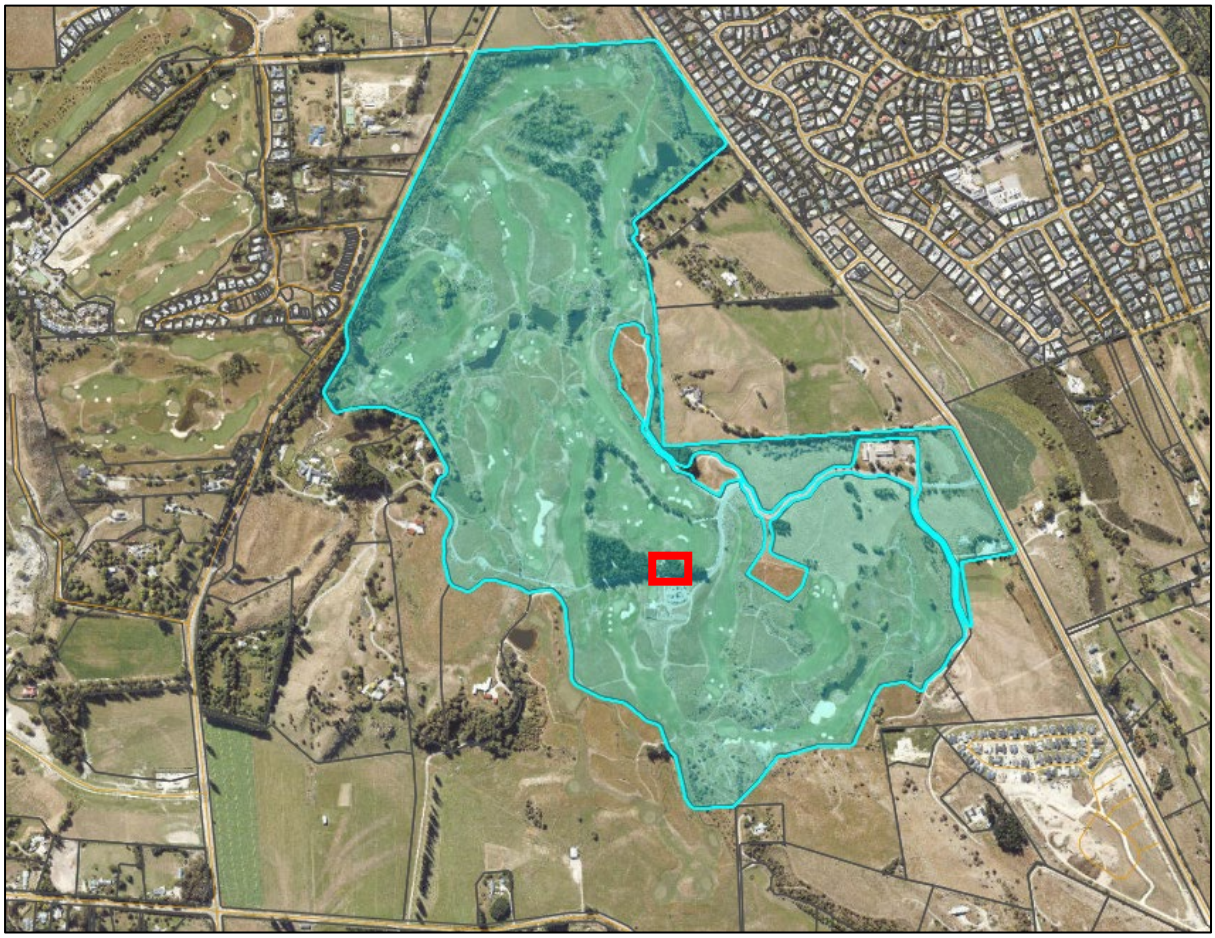


Figure 1: *Extent of Lot 3 DP 516022 (outlined in turquoise) and the wider golf course and surrounds. Red inset shows the specific area within the site subject to the current application. Source: QLDC GIS (northpoint vertical)*



Figure 2: Approximate area of works within the subject site, to the North of the existing clubhouse. Source: QLDC GIS (northpoint vertical)

1.3. Development and Consent History

The wider site has a long development history. A selection of the most relevant consents to the current proposal are listed below.

RM010864 To undertake earthworks for the construction of additions to a private golf course at Arrowtown-Lake Hayes Road. Granted January 2002.

RM020696 To undertake additional earthworks for an existing golf course at Arrowtown-Lake Hayes Road. Granted September 2002.

RM020797 Construct an additional 9 Hole Golf Course and access roads at Arrowtown-Lake Hayes Road. Granted November 2002.

RM030160 Construct a greenkeepers workshop for the private golf course At McDonnell Road, Arrowtown. Granted August 2003.

RM041043 Commercially operate a newly constructed golf course and construct a Clubhouse and golf cart storage located At Arrowtown-Lake Hayes Road. Granted February 2005.

RM050001 Variation to RM020797 to construct an additional 9 Hole Golf Course and access roads at Arrowtown-Lake Hayes Road. Granted February 2005.

RM070603 Host a Temporary Event being the New Zealand Golf Open on an annual basis for a three-year period At Arrowtown-Lake Hayes Road. Granted October 2007.

RM070604 Variation to Condition 9 of RM041043 and Condition 1 of RM051232 to increase the commercial operation of the existing golf course from 20 players per day to 20 players per hour and alteration to onsite carparking. Granted January 2008.

RM081223 To undertake a 17 Lot subdivision and the identification of residential platforms of Lots 1-16, but not Lot 17. Granted June 2009, and since lapsed.

RM081224 To identify 17 residential building platforms and construct 17 dwellings for both residential and visitor accommodation purposes and undertake associated earthworks. Granted June 2009, and since lapsed.

RM130850 To hold an event (NZ Golf Open Tournament) at The Hills and Millbrook Resort Golf Courses for one week per year for three years, and to undertake associated helicopter landings and to erect event signage. Granted January 2014.

RM150763 To undertake a boundary adjustment subdivision creating a 4ha lot around an existing dwelling. Granted February 2016.

RM160450 To change Condition 1 of RM150763 to undertake a boundary adjustment subdivision. Granted July 2016.

RM160609 To vary conditions relating to the subdivision and land use consent granted by RM150763, and to enable the approved building platform to be moved and reshaped within proposed Lot 2. Granted September 2016.

RM161284 To construct, operate and maintain a 9 Hole Golf Course (the "Farm" short course) at Hogans Gully Road. Granted April 2017.

RM170644 To undertake a boundary adjustment subdivision between Lot 1 DP 392663, Lot 7 DP 392663 and Lot 2 DP 501981, and to cancel a Right of Way Easement. Granted August 2017.

RM210672 To undertake a subdivision, involving adjusting boundaries as they exist between four sites and to undertake a two-lot fee simple subdivision to create one additional allotment at 428 Arrowtown Lake Hayes Road. Granted January 2022.

1.4. The proposal

The Hills Holdings Limited (the applicant) is proposing a new building and associated earthworks and landscaping within The Hills Golf Club. The building is to be a Golf Training Facility for use by club members and resort guests and will provide golf training and instruction and associated recreational facilities. The Golf Training Facility (referred to as Golf Training Centre in the Architectural Plans in **Attachment C**) building will include hitting bays (both indoor and covered outdoor), bathroom and locker facilities, a small gymnasium, and a small refreshment (food and beverage) area. The building has an area of 612m^2, with a roofline up to 5.2m in height (RL415.209) and a chimney extending beyond this to 6.8m in height (RL416.887). The external materials will consist of timber cladding, concrete, metal roof cladding and a tile clad chimney in a colour range of browns, greens and greys. The Light Reflectance Value (LRV) of these materials will not exceed 34%.

The building is located immediately to the north of the existing carpark area located adjacent to, and to the north of the existing Clubhouse, and will abut the southern extent of the existing driving range. The building is located within a topographical hollow, being located lower in elevation than the clubhouse, carparks, access and surrounding trees, and approximately at the same level as the existing water race. This existing water race is part of the Arrow Irrigation scheme and a section will be piped.

The building is proposed in an area currently dominated by a large stand of exotic conifers: approximately 200 trees in radiata pine and douglas fir species. Due to the poor condition of the entire tree stand and associated risks of tree fall (affecting building users, carpark and pathway users, and potential impacts on electricity transmission in the vicinity) the removal of all of the stand of exotic conifers is proposed. As the retention of this stand of exotic conifers was an ongoing consent condition of RM041043 (the construction of the Clubhouse, granted in 2005), a variation to this consent is required to address the removal of the conifers as now proposed. Replacement of these conifers is proposed with native Beech trees, as outlined in the Landscape Plan (**Attachment C**), as a way of screening the building and implementing the Landscape Amenity Management Area (**LAMA**) L1 on the Structure Plan. Earthworks are required to establish the new building and integrated it into the landform. This will involve a total volume of 1,060m^3 (comprised of 650m^3 cut and 410m^3 of fill), the maximum cut depth is 2.5m and the maximum fill height is 2.5m. The area of earthworks is limited to the immediate surrounds of the new building. Earthworks are detailed in the Earthworks Plan in **Attachment D**.

Following the completion of earthworks, landscaping is proposed in the immediate surrounds of the new Golf Training Facility building, consisting of 970m^2 of native planting (primarily shrubs, grasses and low-lying species) to integrate the built form into the landscape. This is additional to the planting to the east of the site (in LAMA L1) to replace the exotic conifers removed from this location.

Details of the proposed landscaping is set out in the Landscape Plan in **Attachment C** (Page 05).

The building will be accessed via the existing road extending off McDonnell Road. It will be serviced by existing wastewater, stormwater, and water supply connections, and will utilise existing power, telecommunications, internet, and gas connections. The proposed building is at a lower elevation than the existing wastewater pump station. Therefore, it is proposed that a new single pump package will be installed. The proposed building will be able to be serviced to meet Council's standards with an appropriate level of service sufficient for the proposed activity.

2. RESOURCE MANAGEMENT MATTERS

2.1. Existing Zoning and Provisions

The site is located within The Hills Resort Zone, which provides a zoning framework for the maintenance and further development of the golf course and associated resort facilities, including supporting and other recreational activities, clubhouse and restaurant facilities, visitor accommodation, staff accommodation, residential activities, and a public pedestrian/cycle way through the resort to Arrowtown.

The Hills Resort Zone is governed by a Structure Plan, which spatially identifies Activity Areas and associated landscaping areas (the LAMAs), required to mitigate the potential adverse effects of built development on landscape character, to be achieved by planting and mounding.

The Hills Resort Zone Structure Plan is shown in **Figure 3** below.

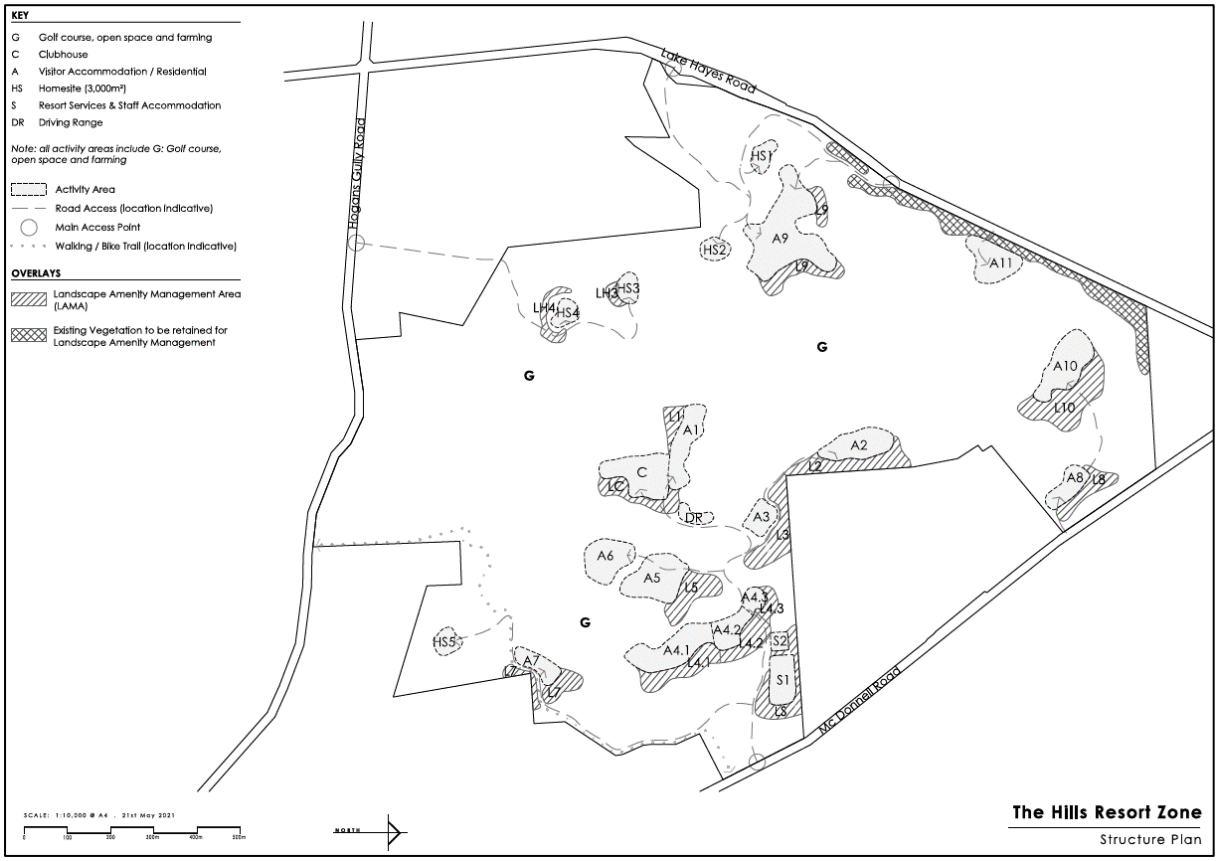


Figure 3: The Hills Resort Zone Structure Plan.

The area of proposed works is located within Activity Area A1[1], which is adjacent to LAMA L1. The Hills Resort Zone includes Indicative LAMA Plans, which are intended to demonstrate an effective approach to the mitigation and integration of built form within the associated Activity Area, although departures from the Indicative LAMA Plans are anticipated by the provisions.

The Indicative LAMA Plan for L1/Activity Area A1 is shown in **Figure 4** below.

[1] Activity Area A1 as described in Chapter 47.1.2g of the PDP and identified by the Hills Resort Zone Structure Plan.

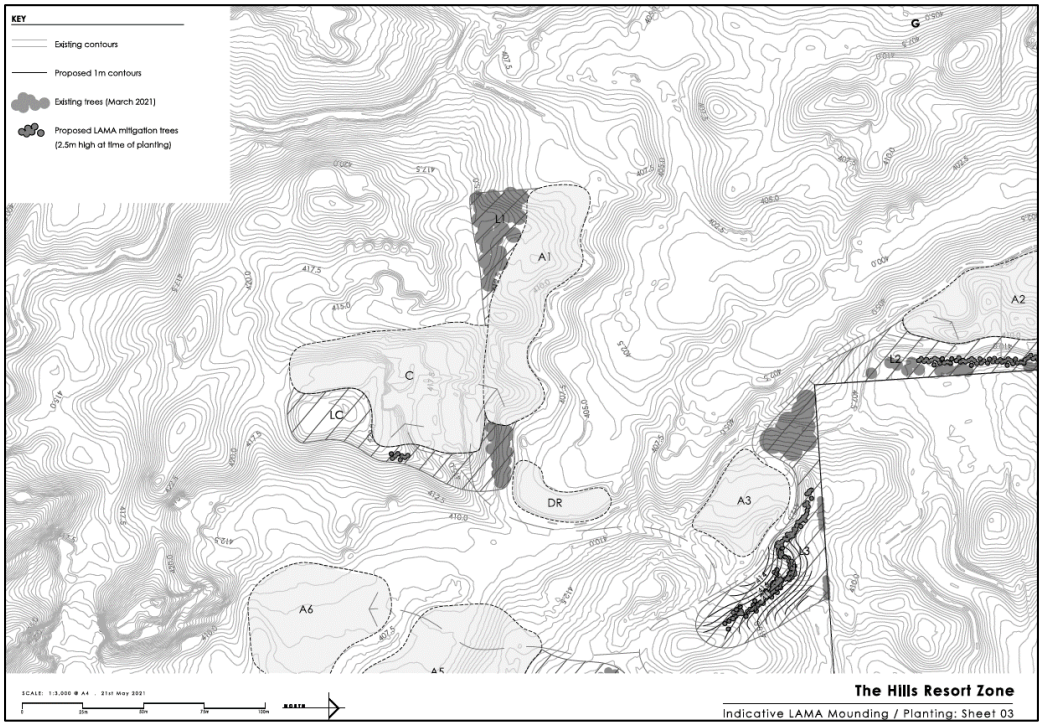


Figure 4: *The Indicative LAMA Plan for L1 / Activity Area A1 (northpoint vertical)*

As shown in Figure 4 above, the Indicative LAMA Plan for L1 / Activity Area utilises the existing trees located to the west and south of Activity Area A1. The existing trees (conifers) are proposed to be removed, with native species planted around the proposed Golf Training Facility building.

The proposed activity is assessed under the relevant existing activity rules and standards in **Tables 1** and **2** below.

Table 1: *PDP Activities*

Rule	Activity	Activity status
Chapter 47 - The Hills Resort Zone		
47.4.2	Landscaping and amenity planting, including clearance of vegetation (except as required by the Structure Plan)	Permitted
47.4.3	Landscape Amenity Landscape Area (LAMA) The establishment of any LAMA identified on the Structure Plan. Information requirements Where LAMA is proposed, the application must be accompanied by a LAMA strategy prepared by a suitably qualified and experienced person. The LAMA strategy shall include the following information: a. A description of the LAMA proposed relative to the subject Activity Area, including any new vegetation, existing vegetation to be retained, earthworks (including mounding and shaping), and/or other measures. b. If the LAMA proposed departs from the indicative LAMA plans in Section 47.8, an assessment which explains the rationale for any departures and which demonstrates that the LAMA proposed will result in an effective approach to the mitigation and integration of built form, and contribute to coherence and amenity within the Zone. Note: this rule does not apply where the LAMA has been established under Rule 27.7.22.1	Controlled
47.4.4	Buildings (other than outdoor art installations and sculptures) in Activity Areas A1 – A10, A11, HS1 – HS5, S1 – S2, C, and DR and where in the case of any buildings	Controlled

Rule	Activity	Activity status
	within any of the Activity Areas A1, A2, A3, A4, A5, A7, A8, A9, A10, HS3, S1 and S2 the relevant LAMA in proximity to the Activity Area has been established in accordance with a resource consent granted under Rule 47.4.3.	
47.4.5	Buildings within any of Activity Areas A1, A2, A3, A4, A5, A7, A8, A9, A10, HS3, S1 and S2 where the relevant LAMA in proximity to the Activity Area has not been established in accordance with Rule 47.4.3	Non-Complying
47.4.23	Recreation, Recreational Activities, Commercial Recreation[2] and Informal Recreation	Permitted
47.4.24	Development, operation, use and maintenance of golf courses, including associated green keeping, driving ranges and commercial instruction	Permitted
Chapter 25 - Earthworks		
25.4.1	Earthworks that comply with all of the standards in Tables 25.2 and 25.3, including …, except where listed in Table 25.1 as a controlled, restricted discretionary or discretionary activity.	Permitted
25.4.3	Earthworks that do not comply with the standards for the maximum total volume of earthworks in Table 25.2, except for	Restricted Discretionary

Table 2: PDP Standards

Rule	Activity	Activity status if breached	Consent required?
Chapter 47 – The Hills Resort Zone			
47.5.3	**Maximum Height** - all Activity Areas except Activity Areas 4 and 5 No building shall protrude through the RL listed below and shall be no higher than the height listed below: Activity Area A1 RL418.5 masl – 8m … Note: RL is masl Note: The building heights are rolling heights and shall be measured from existing ground level. Where a RL limit and building height limit are specified, the lower limit shall apply.	Non-Complying	**No** – the proposed Golf Training Facility, at a maximum height of 5.4m and a maximum chimney height of 6.8m (RL416.867) complies with both maximum heights (RL and rolling) for Activity Area 1.
47.5.10	**Building Coverage** – Activity Areas A1, A2, A3, A6, A7, A8, A9, A11, S1 and S2 The maximum building coverage, as a percentage of the Activity Area shall be as set out below: A1, A9: 55% …	Restricted Discretionary	**No** – the proposed Golf Training Facility, at 613m^2 building coverage, constitutes a coverage of approximately 7% of Activity

[2] Commercial Recreation - Means the commercial guiding, training, instructing, transportation or provision of recreation facilities to clients for recreational purposes including the use of any building or land associated with the activity, excluding ski area activities.

Rule	Activity		Activity status if breached	Consent required?
				Area A1 (being 0.9ha).
47.5.11	**Building Materials and Colours** Any building and fence (excluding any outdoor art installation or sculpture) and its alteration that remain on site for more than six months, are subject to the following: All exterior surfaces* must be coloured in the range of browns, greens or greys including: a. Pre-painted steel and all roofs must have a light reflectance value not greater than 20%; and b. All other exterior surface** finishes, except for schist, must have a light reflectance value of not greater than 30%. * Excludes soffits, windows and skylights (but not glass balustrades). ** Includes cladding and built landscaping that cannot be measured by way of light reflectance value but is deemed by the Council to be suitably recessive and have the same effect as achieving a light reflectance value of 30%.		Restricted Discretionary	**Yes** – **Restricted Discretionary** consent is required as it is sought as part of the proposal to enable the building materials for the Golf Training Facility building to reach a maximum LRV of 34%.
47.4.13	**Lightspill** All fixed lighting shall be directed away from adjacent roads and properties. No activity shall result in a greater than 3.0 lux spill, (horizontal and vertical), of light onto any property located outside of the Zone, as measured at any point inside the boundary of the adjoining property.		Discretionary	**No** – any fixed lighting will easily comply with this standard given the significant distances from adjacent roads, properties and zones.
Chapter 25 – Earthworks				
25.5.10B.3	**Maximum volume** All Activity Areas: Farming activities Golf course development / redevelopment, and earthworks associated with establishment of LAMA	 500m^3 No Limit	Restricted Discretionary	**No** – consent is not required as the earthworks are for Golf course development.
25.5.11	**Earthworks over a contiguous area of land** shall not exceed the following area: 25.5.11.1 2,500m^2 where the slope is 10° or greater. 25.5.11.2 10,000m^2 where the slope is less than 10° …		Restricted Discretionary	**No** – the area of works is limited to the immediate surrounds of the new building and will not exceed 2,500m^2.
25.5.12	**Erosion and sediment control measures** must be implemented and maintained during earthworks to minimise the amount of sediment exiting the site, entering water bodies, and stormwater networks.		Restricted Discretionary	**No** – best practice erosion and sediment control

Rule	Activity	Activity status if breached	Consent required?
25.5.13	**Dust** from earthworks shall be managed through appropriate dust control measures so that dust it does not cause nuisance effects beyond the boundary of the site.	Restricted Discretionary	measures will be in place to avoid nuisance effects from arising.
25.5.14	**Earthworks that discovers any of the following:** 25.5.14.1 kōiwi tangata (human skeletal remains), wāhi taoka (resources of importance), wāhi tapu (places or features of special significance) or other Māori artefact material, or 25.5.14.2 any feature or archaeological material that predates 1900, or 25.5.14.3 evidence of contaminated land (such as discolouration, vapours, landfill material, significant odours), that is not provided for by the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011, any resource consent or other statutory authority, shall comply with the standards and procedures in Schedule 25.10 'Accidental Discovery Protocol'.	Restricted Discretionary	
25.5.15	The **maximum depth of any cut** shall not exceed 2.4 metres. …	Restricted Discretionary	**Yes** – **Restricted Discretionary** consent is required as the maximum cut depth proposed is 2.5m.
25.5.16	The **maximum height of any fill** shall not exceed 2 metres. …	Restricted Discretionary	**Yes** – **Restricted Discretionary** consent is required as the maximum fill height proposed is 2.5m.
25.5.18	Earthworks greater than 0.5 metres in height or depth shall be set back from the site boundary the following minimum distances: …	Restricted Discretionary	**No** – the area of works is significantly removed from any site boundaries, therefore will easily comply with these standards.
25.5.21	Cleanfill No more than 300m3 of Cleanfill shall be transported by road to or from an area subject to Earthworks.	Restricted Discretionary	No – excess is less than 300m3 (240m3).

Overall, multiple consents are required under the current PDP and are addressed below in Section 2.4 of this AEE.

2.2. Proposed Zoning and Provisions

As a result of recent ownership restructuring, detailed design has been undertaken to position The Hills as an 18-hole championship course of greater international acclaim (a top-50 course within the southern hemisphere), the premiere course in the South Island and a top five course nationally. The detailed design work has determined that the current routing of the golf course could be significantly improved, and that rerouting is necessary to achieve premiere status. While rerouting of the golf course is generally permitted under the current The Hills Resort Zone provisions, the rerouting will necessitate the reconfiguration or relocation of some of the development areas identified on The Hills Resort Zone Structure Plan.

The amendments to the Structure Plan include additional Home Sites for residential accommodation, two new development areas to provide for golf training facilities and sports and recreation for visitors and residents, and a new specified location for helicopter take-off and landings.

To this end, a private plan change request for The Hills Resort Zone was lodged in November 2024 and is currently processing. At the time of lodgment of the current resource consent application, the amendments proposed in the private plan change request have no legal effect and no weighting has been given to them (or the private plan change request in general) in the below assessment.

Notwithstanding this, the proposal has been considered against the proposed amendments to demonstrate that, in the event the private plan change is approved, the proposal is consistent with the amendments sought.

The amended Structure Plan is set out in **Figure 5** below. For the purpose of this application, the key change is that Activity Area A1 has been relocated from its existing position north of the Clubhouse to the west, and is to be replaced with a new, smaller (0.4ha) Activity Area: the Golf Training Facility (**Activity Area GTF**). The purpose of Activity Area GTF is to provide for the operation of golf training services and associated activities.

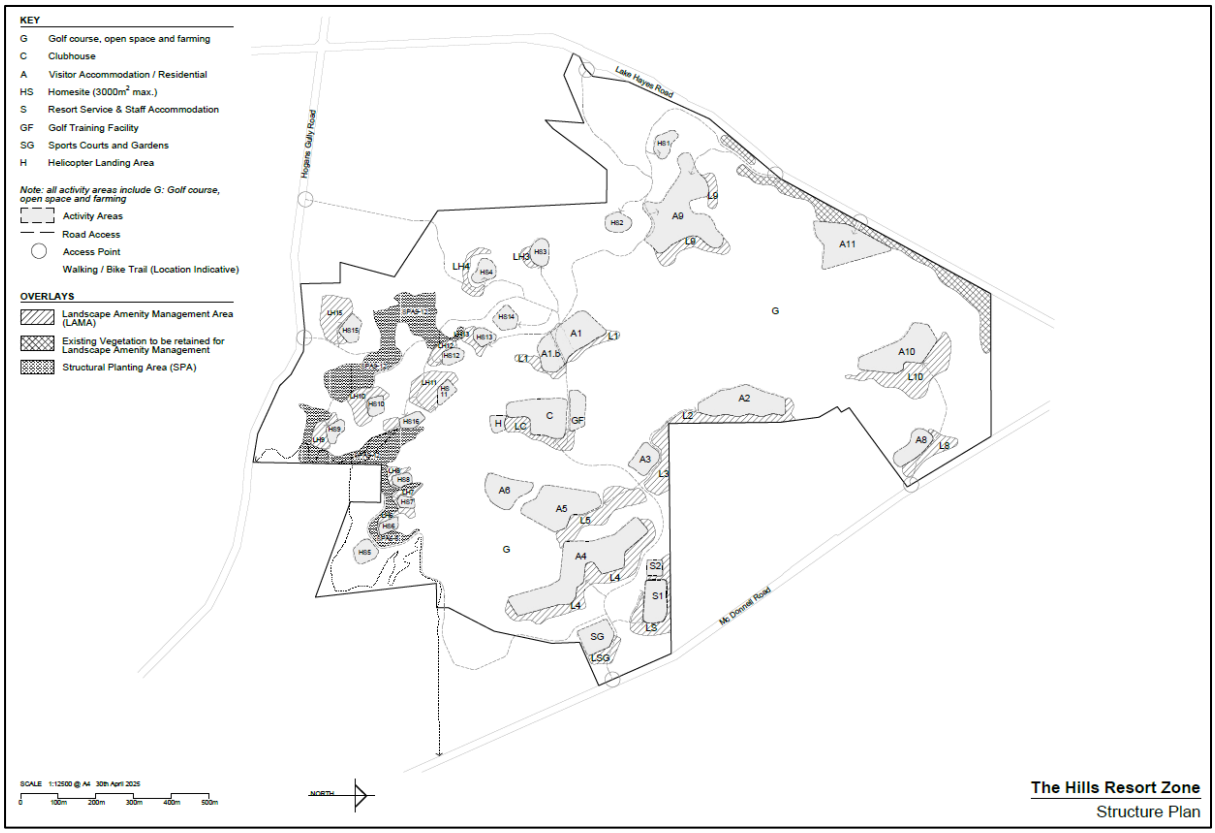


Figure 5: Amended The Hills Resort Zone Structure Plan as lodged in May 2025.

The proposed amended Indicative LAMA Plans for this part of The Hills Resort Zone do not include any LAMA for Activity Area "GTF" (or GF) (Golf Training Facility), as shown in **Figure 6** below.

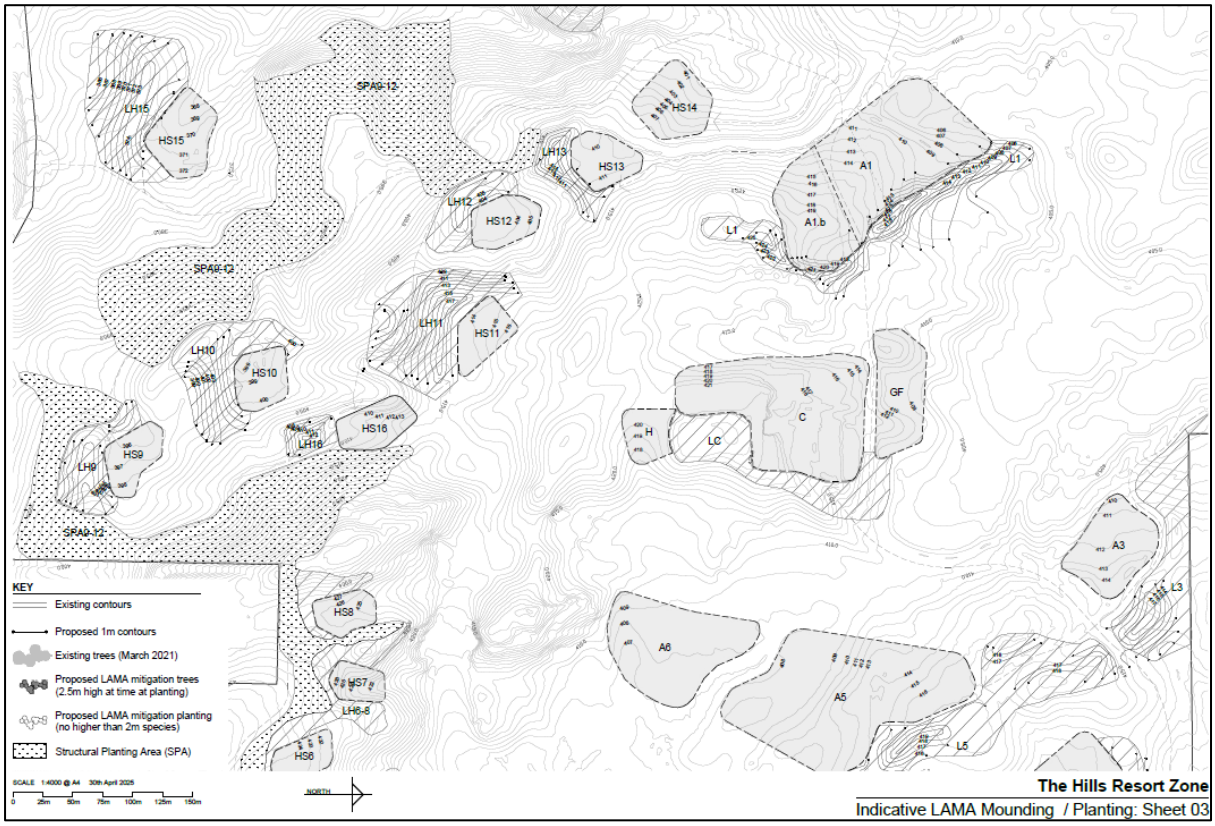


Figure 6: Amended relevant The Hills Resort Zone Indicative LAMA Plans as lodged in May 2025.

The removal of the existing pine trees is addressed in the Landscape effects section 4.3 of this AEE. the removal of the trees to the west of the proposal will not affect the visibility of the Golf Training Facility because the building is located in a topographical hollow at a lower elevation than the existing trees in LAMA L1, and those trees do not provide any screening or visual mitigation of the building.

The Landscape Plan in the Architectural Plans (**Attachment C**) aligns with the private plan change request and the proposed LAMA plans as seen in ***Figure 6*** above. The Landscape Plan included in the proposal incorporates native replanting on either side of the building.

2.3. Variation to RM041043

As set out in Section 1.3 above, the proposal includes the removal of the existing stand of around 200 exotic conifers (pine and douglas fir) located within Activity Area 1 and the LAMAs for both Activity Area 1 and part of the Clubhouse LAMA as shown on the current Structure Plan. Planting is proposed within Activity Area 1 immediately adjoining the Golf Training Facility and the adjacent Clubhouse LAMA area to the west, however no replacement planting is proposed within the remainder of Activity Area 1 or the LAMA for Activity Area 1 (L1) due to the amendments proposed to the Structure Plan as part of the Plan Change Request (as set out in Section 2.2 above).

The removal of the stand of exotic conifers necessitates an amendment to RM041043, granted in February 2005 (16 years prior to the current zoning and provisions having legal effect), which approved (among other activities) the construction of the existing Clubhouse building. The land was zoned Rural General at that time and required consent for a Discretionary Activity overall under the relevant provisions prevailing at that time.

Condition 5 of RM041043 states:

5. ***The consent holder shall ensure that the landscaping is implemented and maintained in accordance with that shown on the Site Plan drawn by Architects Paterson Limited, referenced 03057 RC-01 revision B. The consent holder shall take particular care to maintain the large pine trees to the north of the clubhouse in order to ensure continued screening of the development from outside the subject site.***

Consent is sought under s127 of the Act to delete the second sentence of this condition.

2.4. Summary of Consents Required

In summary, the following consents are required for the proposal under the current QLDC PDP provisions:

- **Non-Complying Activity** consent under Rule 47.4.5 for a building within Activity Areas A1 where the relevant LAMA in proximity to the Activity Area has not been established in accordance with Rule 47.4.3[3];
- **Restricted Discretionary Activity** consent under Rule 47.5.11 for breaching the maximum LRV of 30%;
- **Restricted Discretionary Activity** consent under Rule 25.5.15 for breaching the maximum cut depth of 2.4m; and
- **Restricted Discretionary Activity** consent under Rule 25.5.15 for breaching the maximum fill height of 2m.

Other consents:

- **Discretionary Activity** consent under section 127(3) of the Act for a change of conditions to RM041043.

The applicant applies for any other consents necessary to enable the proposal.

Overall, resource consent is required for a **Non-Complying** activity.

No consents from the Otago Regional Council, or consents under any national planning instrument, are required (this is addressed further in Section 6 below).

3. WHERE IT IS LIKELY THAT AN ACTIVITY WILL RESULT IN ANY SIGNIFICANT ADVERSE EFFECT ON THE ENVIRONMENT, A DESCRIPTION OF ANY POSSIBLE ALTERNATIVE LOCATIONS OR METHODS FOR UNDERTAKING THE ACTIVITY:

No significant adverse effects on the environment will arise, and no other alternatives were considered.

4. AN ASSESSMENT OF THE ACTUAL OR POTENTIAL EFFECT ON THE ENVIRONMENT OF THE PROPOSED ACTIVITY:

4.1. Introduction

This assessment of effects on the environment addresses:

[3] Noting that the Indicative LAMA plan for existing Activity Area 1 utilises existing trees (being exotic conifers) and which are proposed to be removed due to the safety risk they pose and are proposed to be replaced with native planting. The Landscape Plan aligns with the amendments proposed to the Structure Plan as set out in the currently processing Plan Change Request. The proposal cannot therefore meet the requirements of Rule 47.4.3 or 47.4.4 to qualify as a Controlled Activity.

- The permitted baseline and existing environment;
- Landscape and visual amenity effects;
- Servicing, infrastructure and construction effects;
- Effects of earthworks;
- Positive effects; and
- Summary of effects on the environment.

4.2. Permitted Baseline and Existing Environment

4.2.1. Permitted Baseline

When determining the actual and potential effects of an application for resource consent, the permitted baseline allows a comparison of the potential adverse effects of the proposal against what is permitted as of right under the District Plan (the permitted baseline) and what could lawfully be undertaken on the land by way of any existing consents (the existing environment). Section 104(2) of the Act states that when forming an opinion on whether there are adverse effects from an activity on the environment, the consent authority may disregard adverse effects if the plan explicitly permits that certain activity.

The proposal is for Commercial Recreation activities (golf training and instruction areas and associated recreational facilities) which are permitted in The Hills Resort Zone in all activity areas (**Rule 47.4.23**) and commercial instruction associated with golf (**Rule 47.4.24**) however the buildings require at least a Controlled Activity consent, therefore there is no permitted baseline for buildings.

4.2.2. Existing Environment

As set out in Section 1.3 above, multiple Resource Consents have been issued to this site. The most relevant consent is RM041043 to *Commercially operate a newly constructed golf course and construct a Clubhouse and golf cart storage located At Arrowtown-Lake Hayes Road. Granted February 2005.* Consideration of this existing environment and existing development is relevant and appropriate to be considered in undertaking this assessment.

4.3. Landscape and Visual Amenity Effects

The proposal involves construction of Golf Training Facility that is a golf-related, on-site activity as provided for in Activity Area A1. The identified landscape values in Chapter 47.1.3 of the PDP are:

a. *Hummocky moraine landform with plateaus, and remnant kettle lakes that have been converted to amenity ponds. The landform and vegetation patterns create a variable sense of openness and enclosure.*

b. *Vegetation patterns are characterised by exotic amenity plantings through the golf courses and around buildings, with native plantings adjacent to the pond, stream and wetland features. Isolated pockets of bush and woodlot plantings remain.*

c. *The landscape is relatively complex as a consequence of the landform and vegetation patterning, but the golf courses lend a coherence to the landscape. Part of the Zone is visible from elevated streets on the western edge of Arrowtown, although the hummocky terrain and existing vegetation limits visibility. The outlook from these areas is of an attractive golf course/parkland landscape on the edge of Arrowtown.*

As addressed in the Landscape Assessment (**Attachment E**), the existing environment consists of heavily modified, undulating hill country supporting a golf course and servicing facilities. The current clubhouse building is of a sunken earth, bunker design. The proposed Golf Training Facility resembles this design to be sympathetic to the landscape and wider resort development. Given the proposal is located within the centre of the site, visual effects will be limited to some distant public and private views

on the Arrowtown Escarpment and public views from Feehly Hill. The visual effects will be inconsequential because of the distance from viewers in these locations, the small scale and low profile of the building, and the exterior materials which will blend the building into the background.

The visual effects of this proposal will be at their worst during the construction phase, meaning they will be temporary adverse effects and are due to the associated earthworks and construction activity.

The loss of existing vegetation will have a minor visual impact on the landscape however, taking into account the Arborist's Report (**Attachment F**) and the Landscape Assessment (**Attachment E**), the existing conifers are disconnected to the Wakatipu Basin landscape as a non-native species. Although protected by the indicative LAMAs L1 and LC, they pose a safety risk to people and infrastructure. The Arborist's Report (**Attachment F**) identifies that removing the dead and hazardous trees through thinning, would only create greater a safety risk as it then exposes other trees to windfall.

The proposal includes a Landscape Plan (**Attachment C**). The vegetation proposed reflects the plant palette and vegetation patterns of the wider resort and will assist in integrating the building into the hillside and softening the earthworks (**Attachment E**). The visual effects of the proposal will be further minimised as a result.

The proposal includes design changes to the consented built environment (under condition 5 of RM041043) and the indicative LAMA L1. The removal of these exotic trees is for safety reasons as discussed above. Although this will change the existing environment, implementation of the proposed Landscape Plan (in **Attachment C**) will improve the landscape and amenity of the immediate area by replanting in native beech which will have positive ecological effects and in time aid in further blend the new building into the immediate resort environment.

The Landscape Assessment (**Attachment E**) acknowledges that once constructed, limited views of the chimney and roof of the new building will be possible from distant locations. The materials will ensure that the building recedes into the landscape. The building's LRV of 34% will have very limited, if any, adverse impacts on the visual integration of the proposal due to the overall low visibility (**Attachment E**, page 9).

Further, LAMA L1 sits to the west of and at a higher elevation than the Golf Training Facility site. Retention of the vegetation within LAMA L1, or replacement with new vegetation, will not have any effect on the visibility of the building, because there is no potential for visibility of the building when viewed from external locations further west.

The LAMA to the east of the Golf Training Facility site is part of LAMA LC and is therefore not relevant to this proposal, however, as discussed above, will be revegetated in native species to further enhance the amenity of the resort environment.

Overall, the Zone has capacity to absorb the proposed building given the location is visually discreet and in line with Activity Area 1. The landscape and visual amenity effects of the proposal are less than minor during construction, reducing to neutral on completion (**Attachment E**, page 12).

4.4. Servicing, Infrastructure and Construction Effects

The servicing of the building is described in Section 1.4 above. The water supply and wastewater disposal will connect with the Council infrastructure and no adverse effects arise. Stormwater will be appropriately managed on site.

Access to the site will be via preexisting internal roading infrastructure and the Hills Golf Club entrance onto McDonnell Road. No new accessway is proposed, and the users of the new facility will be members and guests who would otherwise be travelling into the resort. As there is no additional traffic arising from the facility, the proposal will have no effects on the roading network.

Construction activities will operate Monday to Saturday from 0800 hours to 1800 hours. Due to the small scale of the project, no adverse construction traffic effects will arise. The existing access and roading are sufficient for the vehicles that will be involved during the construction period.

4.5. Effects from Earthworks

The proposal involves earthworks of 1060m^3 total volume. This is broken down into 640m^3 of cut and 410m^3 of fill (**Attachment D**). Earthworks undertaken at the site has the potential to have the following actual or potential adverse effects on the environment: Sediment and erosion effects; Dust effects; Vibration and noise effects; and Traffic and access effects.

The services report (**Attachment H**) outlines that all earthworks will be carried out in accordance with the best practice and QLDC guidelines for environmental management plans. A low risk Environmental Management Plan (**EMP**) accompanies this application at **Attachment I**. The EMP outlines the erosion and sediment control measures that that any person carrying out earthworks will implement. The earthworks required will not exceed 2,500m^2 in area and the site is not within 10 metres of any waterbody[4] or in close proximity to any boundary. The site is not within the Lake Hayes Catchment.

To protect against long term erosion, the proposal includes revegetating any areas of exposed soil affected by earthworks during construction.

The applicant will implement standard industry practice of utilising a water cart and irrigation to prevent dust becoming a nuisance to the surrounding area. All works will comply with NZS 6803:1999 which sets out noise limits for construction work.

4.6. Positive Effects

The proposal further enhances the reputation of The Hills as an international destination resort and the Zone's ability to host national and international golfing events and therefore providing for recreational amenity for Hills Golf Club members and resort guests and contributing to the economic wellbeing of the community and wider Queenstown Lakes District.

4.7. Summary of Environmental Effects

Overall, any adverse effects from the proposal can be mitigated and no alternatives were considered. Any actual or potential adverse effects on the environment will be less than minor.

5. ASSESSMENT UNDER THE RELEVANT OBJECTIVES AND POLICIES

5.1. Proposed District Plan

The relevant objectives and policies are contained within Chapter 47 (Hills Resort Zone) and Chapter 25 (Earthworks) of the PDP and are assessed below.

Table 5: PDP provisions

Provision	Detail	Assessment
Chapter 47 Hills Resort Zone		
Objective 47.2.1	An integrated golf resort development that principally provides for a range of visitor industry related activities, while also providing for limited residential activity, all of which are located and designed with particular regard to maintaining the landscape character and amenity values of the Zone and surrounding environment.	The facility provides for visitor industry related activities while being sympathetic to the surrounding environment through appropriate location and design. Landscape character and amenity values will be maintained. The proposal achieves this objective.

[4] Waterbody – Means fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area. The definition of a river does not include any artificial watercourse.

Provision	Detail	Assessment
Policy 47.2.1.1	Enable the development, operation, use and maintenance of golf courses as the focal point of the Zone.	The proposal's position close to the existing clubhouse in the centre of the golf course contributes to the Zone's ability to operate as a high-class golf facility. The proposal achieves this policy.
Policy 47.2.1.2	Require all development to be located in accordance with the Structure Plan contained in Section 47.7 to ensure that: a. Development integrates with the golf courses, the underlying topography and vegetation; b. Development is located where it can be absorbed, while achieving a predominance of open space and maintaining landscape character; c. Visibility of buildings from beyond the Zone, particularly from adjacent public roads and the Arrowtown escarpment, is mitigated through appropriate siting and landscaping (including LAMA); d. A high level of internal amenity within the Zone is achieved through careful siting of buildings and accessways, retention of expansive open space areas and the use of landscaping; and e. Reverse sensitivity effects on any adjacent farming operations are avoided.	The proposal is in accordance with the structure plan activity areas (being a permitted activity in AA 1). The proposal is located in a central site location within close proximity to existing buildings and does not restrict the open space values of the wider Zone. The proposal's design to be sunken into the topography maintains the existing landscape character. Visibility from external viewpoints will be extremely limited by the location and existing vegetation within the resort, and further revegetation of the site including replanting of native beech trees, as addressed in the Landscape Assessment (**Attachment E**). There is no potential for reverse sensitivity effects. The proposal is in keeping with the intent of this policy.
Policy 47.2.1.13	Maintain the landscape character and visual amenity values of the Zone, including the values described in 47.1.3, by: a. Avoiding residential activities, visitor accommodation and other built development, except for small scale buildings associated with golf course operations and farming, in Activity Area G; b. Requiring the establishment of Landscape Amenity Management Areas (LAMAs) in accordance with the Structure Plan in Section 47.7 to ensure that the potential adverse effects of built form are avoided or mitigated, and to contribute to the amenity of the Zone; and c. Ensuring that buildings are located only in areas where the change can be absorbed and so that a predominance of open space is achieved across the Zone.	The proposal is in keeping with the visual amenity values of THRZ, as identified in Section 4.3 (above) and the Landscape Assessment (**Attachment E**). The proposal includes an amendment to the existing indicative LAMA L1 however landscaping is proposed to mitigate adverse visual effects. The proposal site has the capacity to absorb the new building in a way that retains the predominance of open space. Overall, the proposal achieves this policy.
Policy 47.2.1.14	Avoid or mitigate adverse visual effects of development and associated infrastructure within and beyond the Zone through controls on building height, light spill, external appearance, coverage and landscaping requirements.	The location and design avoids adverse visual effects. The proposal achieves this policy.
Policy 47.2.1.16	Require that development within the Zone is connected to a reticulated wastewater treatment and disposal system, where available.	The services report (**Attachment H**) outlines a design for a new wastewater pump system and connection to the existing treatment and disposal system. The proposal achieves this policy.

Provision	Detail	Assessment
Policy 47.2.1.17	Where connection to a reticulated wastewater system is not available, avoid or mitigate any potential adverse effects on natural water systems and ecological values by ensuring the safe and efficient disposal of wastewater through provision of a comprehensive system that is designed to provide sufficient capacity for anticipated development within the Zone.	The services report (**Attachment H**) outlines the anticipated volume increases and includes a comprehensive and contained wastewater treatment system. The proposal achieves this policy by avoiding any potential adverse effects on natural water systems and ecological values.
Policy 47.2.1.18	Ensure a comprehensive approach to on-site stormwater management that is designed to provide sufficient capacity for anticipated development within the Zone to avoid or mitigate any potential adverse effects on natural water systems and ecological values.	The services report (**Attachment H**) references the Geotechnical Report stating that the site has reasonable ground conditions for soakage and that stormwater run off will be discharged into suitably sized soak pits. The proposal achieves this policy.
Chapter 25 Earthworks		
Objective 25.2.1	Earthworks are undertaken in a manner that minimises adverse effects on the environment, including through mitigation or remediation, and protects people and communities.	The adverse effects of the proposal are avoided or adequately mitigated (through the EMP measures). This proposal achieves these objectives.
Policy 25.2.1.1	Ensure earthworks minimise erosion, land instability, and sediment generation and off-site discharge during construction activities associated with subdivision and development.	The proposed earthworks will be appropriately managed to ensure that erosion, land instability, sediment generation and off-site discharge are avoided. As the earth worked area will either be occupied by the proposed building or subsequently landscaped, adverse visual effects will be limited to temporary (during the construction phase). The earthworks are of a scale and extent that are necessary to construct the building, and in combination with the landscaping, will maintain the amenity values of THRZ. The earthworks will be appropriately managed so as to avoid adverse effects on water bodies, with nuisance effects from construction (noise, vibration, odour, dust and traffic) to also be avoided. Overall, the proposal achieves these policies.
Policy 25.2.1.3	Avoid, where practicable, or remedy or mitigate adverse visual effects of earthworks on visually prominent slopes, natural landforms and ridgelines.	
Policy 25.2.1.4	Manage the scale and extent of earthworks to maintain the amenity values and quality of rural and urban areas.	
Policy 25.2.1.5	Design earthworks to recognise the constraints and opportunities of the site and environment.	
Policy 25.2.1.6	Ensure that earthworks are designed and undertaken in a manner that does not adversely affect infrastructure, buildings and the stability of adjoining sites.	
Policy 25.2.1.7	Encourage limiting the area and volume of earthworks being undertaken on a site at any one time to minimise adverse effects on water bodies and nuisance effects of adverse construction noise, vibration, odour, dust and traffic effects.	
Objective 25.2.2	The social, cultural and economic wellbeing of people and communities benefits from earthworks.	The proposal contributes to the ongoing vitality and long-term use of the Hills as an economic contributor to the local community and wider district. The proposal achieves this objective.

Provision	Detail	Assessment
Policy 25.2.2.1	Enable earthworks that are necessary to provide for people and communities wellbeing, having particular regard to the importance of: a. … b. tourism infrastructure and activities, including …; c. … d. … e. the use and enjoyment of land for recreation, including public walkways and trails; and f. maintaining or enhancing the operational efficiency of existing infrastructure.	The proposal will create added amenity for golf resort users, therefore enhancing The Hills as an international destination resort. This will further establish the Hills as economic contributor in the District that supports the local community's wellbeing. The proposal achieves this policy.

5.2. Conclusion

The proposal is consistent with the relevant objectives and policies from Chapters 47 and 25 of the PDP.

6. OTHER PLANNING PROVISIONS

6.1. Otago Regional Council

Under the Operative Regional Plan: Water, resource consent is not required for this proposal as the earthworks required are not for residential development nor do they breach any rules relating to the discharge of sediment.

6.2. Otago Regional Policy Statement

The Otago Regional Policy Statement (**RPS**) sets the direction for future management and promotion of the sustainable management of the region's natural and physical resources, as well as providing the policy context for regional plans and establishing the framework for district plans.

The Operative Regional Policy Statement 2019 (**RPS2019**) was declared operative on 4 March 2024. Following a 2019 review of the region's freshwater management framework and the introduction in 2020 of new national regulations, the PORPS2019 has now been reviewed, and the Proposed Otago Regional Policy Statement 2021 (**PRPS2021**) was notified on 26 June 2021. Decisions of the Hearings Panel on provisions of the PRPS2021 were notified on 30 March 2024.

The PRPS2021 identifies twelve significant resource management issues for the region and explains how national direction will be applied in the Otago context. The twelve issues can be broken down into natural asset-based issues, place-based issues, and those issues relating to resource use, economic and domestic pressures, cumulative impacts and resilience.

The proposed development has been considered against the objectives and policies of the RPS2019 and the PRPS2021. The development is generally consistent with the broad policy direction of both Regional Policy Statements, particularly in relation to Natural Features and Landscapes and protecting Otago's natural and physical resources from inappropriate subdivision.

6.3. National Policy Statements

In accordance with Section 55 of the Act, all regional and local authorities are required to give effect to all National Policy Statements. The National Policy for Highly Productive Land (**NPS-HPL**) outlines how regional councils must identify highly productive land, and manage the effects of subdivision, use and development of highly productive land, in an integrated way. The Land Use Capability (**LUC**) system

categorizes land into eight classes according to its long-term capability to sustain one or more productive uses based on physical limitations and site-specific management needs. Highly productive land is predominantly LUC 1, 2, or 3 land.

The subject site is categorised as LUC Class 4, therefore the NPS-HPL is not relevant to this site.

6.4. National Environmental Standards

In accordance with the National Standard for Assessing and Managing Contaminants in the Soil to Protect Human Health (2011), all applications for resource consent need to be determined if this National Environmental Standard (**NES-CS**) is applicable.

The regulations apply if any of the following activities are undertaken:

(a) remove or replace an underground fuel storage system or any of its parts

(b) sample the soil to determine contamination

(c) disturb the soil (earthworks)

(d) subdivide the land

(e) change the use of the land.

The proposal includes the disturbance of soil (earthworks) therefore the NES-CS is relevant, however there is no record with either the Otago Regional Council or the Queenstown Lakes District Council that an activity that would fall within the HAIL list has ever been undertaken, or is more likely than not to have been undertaken, on the subject site. The subject site is therefore not “land covered” for the purposes of the application of the NES-CS and no further consideration or assessment is required.

7. NON-COMPLYING ACTIVITY - SECTION 104D ASSESSMENT

Pursuant to section104D of the Act if a proposal is a Non-Complying activity then it must pass at least one of the tests of either section 104D(1)(a) or section 104D(1)(b) before an application can be assessed to make a decision under section 104B of the Act. If the application fails, both tests of section 104D then the application must be declined.

7.1. Section 104D(1)(a) – Adverse effects on the environment will be minor

Section 104D(1)(a) of the Act requires that the Council have regard to any adverse effects on the environment of allowing the activity.

Pursuant to section 104(2) of the Act, when forming an opinion for the purposes of section 104D(1)(a), a council may disregard an adverse effect of the activity on the environment if the plan or a national environmental standard permits an activity with that effect.

The effects of the proposal are assessed in Section 4 of this document. The conclusion from Section 4 is that the proposal will result in less than minor effects. Therefore, the adverse effects on the environment will be no more than minor and the test of s104D(1)(a) is satisfied.

7.2. Section 104D(1)(b) – Proposal will not be contrary to the objectives and policies of the District Plan

The relevant objectives and policies for the proposal are assessed in Section 5 of this AEE. It concludes that the proposal is not contrary to the objectives and policies of the PDP. Notwithstanding the Non-Complying activity status of the proposed activity, Objective 47.2.1 seeks to integrate golf resort development to provide for a range of visitor industry related activities (as this proposal provides for the reasons described already). Policy 47.2.1.2 seeks to keep development in accordance with the structure plan and although the proposal technically infringes the rules due to the removal of existing

exotic trees in LAMA L1, Activity Area A1 provides for the activity and the proposal is designed deliberately to be consistent with the overall intent of the policy. As addressed above, planting in the LAMA L1 will have no impact on the visibility of the proposed building due to the separation of the building site from the LAMA, and the elevation difference.

Further, the replanting of LAMA LC adjacent to the building site in native species will ensure that the proposal consistent with the policy intent of the Zone.

On balance, the proposal passes both of the tests in section 104D of the Act, and consent can be granted.

8. PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

8.1. Section 5 – Purpose

The purpose of the Act is "to promote the sustainable management of natural and physical resources". Section 5(2) of the Act defines "sustainable management" as:

> *… managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while –*
>
> *(a) Sustaining the potential of natural and physical resources … to meet the reasonably foreseeable needs of future generations; and*
>
> *(b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
>
> *(c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The proposal meets the various matters in section 5(2)(a)-(c) of the Act. The applicant has taken care to avoid or mitigate any potential adverse effects of the proposal on the environment through the design of the proposal, and any adverse effects of this proposal are, overall, less than minor.

The proposal will enhance the golf offering for members and visitors to THRZ, and will contribute overall to the ongoing economic and social well-being of people and the community.

The proposal therefore achieves the purpose of the Act.

8.2. Section 6 – Matters of national importance

No matters of national importance under s6 are relevant to this application.

8.3. Section 7 – Other matters

The relevant matters of Section 7 of the Act that should be considered as follows:

> *b. the efficient use and development of natural and physical resources:*
>
> *c. the maintenance and enhancement of amenity values:*
>
> *f. maintenance and enhancement of the quality of the environment:*

The proposal represents an efficient use of the resort's resources by providing a golf training facility in close proximity to the existing clubhouse and carparking area, and adjacent to the driving range.

The building and activities enhance the amenity values of the area and the quality of the environment, through the location, design and proposed native revegetation in the adjacent part of the LAMA LC.

The proposal is consistent with the relevant s7 matters.

8.4. Section 8 – Treaty of Waitangi

In achieving the purpose of the Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

No particular matters of interest under s8 arise for this proposal.

8.5. Conclusion

The proposal accords with the relevant matters of Part 2 of the Act as the development of the land for golfing recreation and instruction is an efficient use of resources and, while maintaining the amenity values and quality of the natural environment, and achieving the purpose of the Act.

9. WHERE THE ACTIVITY INCLUDES THE USE OF HAZARDOUS SUBSTANCES AND INSTALLATIONS, AN ASSESSMENT OF ANY RISKS TO THE ENVIRONMENT WHICH ARE LIKELY TO ARISE FROM SUCH USE:

Not applicable.

10. A DESCRIPTION OF THE MITIGATION MEASURES (SAFEGUARDS AND CONTINGENCY PLANS WHERE RELEVANT) TO BE UNDERTAKEN TO HELP PREVENT OR REDUCE THE ACTUAL AND POTENTIAL EFFECT:

No mitigation measures are necessary other than those addressed in the EMP.

11. SECTION 95A ASSESSMENT AND IDENTIFICATION OF AFFECTED PERSONS

Section 95A of the RMA requires a decision on whether or not to publicly notify an application.

The steps set out below, in the order given, are used to determine whether to publicly notify an application for a resource consent.

Step 1 – Mandatory public notification

The applicant is not requesting public notification of the application (s95A(3)(a)).

Public notification is not mandatory as a result of a refusal by the applicant to provide further information or refusal of the commissioning of a report under section 92(2)(b) of the RMA (s95A(3)(b)).

The application does not involve the exchange of recreation reserve land under section 15AA of the Reserves Act 1977 (s95A(3)(c)).

Therefore, public notification is not required by Step 1.

Step 2 – Public notification precluded

Public notification is not precluded by any rule or national environmental standard (s95A(5)(a)).

The proposal does not involve:

- a controlled activity; or

- a boundary activity as defined by section 87AAB that is restricted discretionary, discretionary or non-complying.

Public notification is not precluded (s95A(5)(b)(i)-(iii)). Therefore, public notification is not precluded by Step 2.

Step 3 – If not precluded by Step 2, public notification is required in certain circumstances

Public notification is not specifically required under a rule or national environmental standard (s95A(8)(a)).

A consent authority must publicly notify an application if it decides, in accordance with s95D, that the proposed activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(8)(b)).

Effects that must be disregarded (s95D(a)) include effects on the owners or occupiers of land on which the activity will occur and on adjacent land. Effects that may be disregarded include:

- An adverse effect of the activity if a rule or national environmental standard permits an activity with that effect (s95D(b));
- Trade competition and the effects of trade competition (s95D(d)); and
- Effects on persons who have provided their written approval.

On the basis of the assessment set out in Section 4 above, the proposed activities will not have adverse effects on the environment that are more than minor. Therefore, public notification is not required under Step 3.

Step 4 – public notification in special circumstances

There are no special circumstances in relation to this application.

12. LIMITED NOTIFICATION (S95B)

Section 95B requires a decision on whether there are any affected persons.

There are no affected groups or persons under section 95B(2) or 95B(3), and limited notification is not precluded as it is not subject to a rule or standards precluding notification and it is not a controlled activity (s95B(6)).

Therefore, the assessment of affected persons must be undertaken in accordance with section 95E.

In accordance with the assessment undertaken within Section 4 above, any actual or potential adverse effects on adjacent properties will be less than minor given:

(a) The proposal is small in scale;

(b) It is largely concealed from view due to the topography of the land, vegetation and its location which is distant from public viewpoints;

(c) It has been sympathetically designed to be in keeping with the character of the landscape and existing buildings on the site;

(d) No person can claim to be adversely affected in any way by the proposal.

Overall, any effects from the proposal are less than minor and limited notification is not required.

13. WHERE THE SCALE OR SIGNIFICANCE OF THE ACTIVITY'S EFFECT ARE SUCH THAT MONITORING IS REQUIRED, A DESCRIPTION OF HOW, ONCE THE PROPOSAL IS APPROVED, EFFECTS WILL BE MONITORED AND BY WHOM.

No monitoring is required apart from that normally undertaken by a Council in monitoring consent conditions.